

Notice of Allowability

Application No.

09/181,658

Examiner

Timothy M. Harbeck

Applicant(s)

SAVAGE ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to response filed 10/30/2006.
2. ☒ The allowed claim(s) is/are 1,4-6 and 9-57.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Allowable Subject Matter

Claims 1, 4-6, and 9-57 allowed. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to teach or suggest certain limitations of the independent claims.

Independent claims 1 and 50 propose a method/system of combined billing for at least one customer on a plurality of customer accounts that includes, for example, receiving account data for the plurality of customer accounts electronically from time-to-time by a service provider from each of a plurality of billers; acquiring ownership of receivables represented by the account data by the service provider under contractual arrangements with the plurality of billers upon receipt of the account data; automatically calculating account charges for the plurality of customer accounts from the account data; aggregating the account charges for at least one customer on the plurality of customer accounts automatically formatting a combined bill for the customer from the aggregated account charges; and automatically rendering the combined bill to the customer. Independent claim 1 further proposes that at least one of the plurality of accounts is a recurring bill account and wherein the customer continues to purchase

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products or services from at least one of the billers after the service provider acquires ownership of the receivables associated with the account data received.

Independent claims 54 and 55 propose a method/system of combined billing for at least one customer on a plurality of customer accounts by a service provider involving, for example, entering contractual arrangements with a plurality of billers to have their account data for the plurality of customer accounts delivered to a service provider electronically; receiving the account data electronically from time-to-time during a billing cycle by the service provider from each of the billers, each reading out transactions one at a time to an accounts receivable computer system of the service provider; storing the account data at a customer level in a computer database of the service provider; acquiring ownership by the service provider of receivables represented by the account data under the contractual arrangement when the account data is received by the service provider; remitting payment for the receivables to the billers by the service provider under the contractual arrangement within a pre-determined period after receiving the account data; automatically calculating account charges for the plurality of customer accounts from the account data; aggregating account charges for at least one customer on a plurality of customer accounts; automatically generating a combined bill for the customer from the aggregated account charges at a pre-determined cycle time for the customer's account ; and automatically rendering the combined bill to the customer as a debt of the customer to the service provider as owner of the receivable represented by the combined bill. Independent claim 54 further proposes that at least one of the plurality of accounts is a recurring bill account and

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wherein the customer continues to purchase products or services from at least one of the billers after the service provider acquires ownership of the receivables associated with the account data received.

Independent claims 56 and 57 propose a method/system of combined billing for at least one customer on a plurality of customer accounts by a financial institution involving, for example, entering contractual arrangements with a plurality of billets to have their account data for the plurality of customer accounts delivered to a financial institution electronically; receiving the account data electronically from time-to-time during a billing cycle by the financial institution from each of the billers, each reading out transactions one at a time to an accounts receivable computer system of the financial institution; storing the account data at a customer level in a computer database of the service provider; acquiring ownership by the financial institution of receivables represented by the account data under the contractual arrangement when the account data is received by the financial institution; remitting payment for the receivables to the billers by the service provider under the contractual arrangement within a pre-determined period after receiving the account data; automatically calculating account charges for the plurality of customer accounts from the account data; aggregating account charges for at least one customer on a plurality of customer accounts; automatically generating a combined bill for the customer from the aggregated account charges at a pre-determined cycle time for the customer's account ; and automatically rendering the combined bill to the customer as a debt of the customer to the financial institution as owner of the receivable represented by the combined bill. Independent

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claim 54 further proposes that at least one of the plurality of accounts is a recurring bill account and wherein the customer continues to purchase products or services from at least one of the billers after the service provider acquires ownership of the receivables associated with the account data received.

The primary difference between the prior art and the present invention is that references of record do not teach or suggest receiving account data electronically from time-to-time from billers and acquiring ownership of the receivables associated with the account data upon receipt of the account data from the billers and wherein at least one of the accounts is a recurring bill account as claimed in independent claims 1, 50, and 54-57.

Non-patent literature Saville fails to teach or suggest receiving account data electronically from time-to-time from billers and acquiring ownership of the receivables associated with the account data upon receipt of the account data from the billers and wherein at least one of the accounts is a recurring bill account as claimed in independent claims 1, 50, and 54-57. On the contrary, Saville teaches "the benefits of convergent billing--a single consolidated bill" "for combined power, light and telephone services" "to make the customer the one liable for the receivables (or debt) directly to each of the billers".

Non-patent literature Martin is likewise devoid of any teaching or suggestion of receiving account data electronically from time-to-time from billers and acquiring ownership of the receivables associated with the account data upon receipt of the account data from the billers and wherein at least one of the accounts is a recurring bill

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account as claimed in independent claims 1, 50, and 54-57. Instead, Martin announces CheckFree's use of VISA's ePay electronic bill payment feature with "direct debit and settlement features" that allows consumers "to order the payment today and, when they look at their account tomorrow, it's paid". See, e.g., Martin, 2nd Column, lines 3-9. Moreover, according to Ceme, "Checkfree, VISA Launch Payment Service," VISA's ePay debit and settlement feature simply "offers the ability to electronically debit money from a customer's account and pass it on to a biller's bank." Thus, it is readily apparent that Martin merely teaches the debit card system in which the customer's account is debited during a transaction before authorizing the transaction with a merchant.

Likewise, non patent literature ECTC is devoid of any teaching or suggestion of receiving account data electronically from time-to-time from billers and acquiring ownership of the receivables associated with the account data upon receipt of the account data from the billers and wherein at least one of the accounts is a recurring bill account as claimed in independent claims 1, 50, and 54-57. Instead, ECTC merely announces a proposal to develop an electronic payments system six months in the future that has nothing to do with acquiring receivables, but likewise proposes "guaranteed funds" using "a real-time payment system", i.e., a cash transaction.

Nor does Smorodinsky (US 6,049,786) teach or suggest receiving account data electronically from time-to-time from billers and acquiring ownership of the receivables associated with the account data upon receipt of the account data from the billers and wherein at least one of the accounts is a recurring bill account as claimed in independent claims 1, 50, and 54-57. On the contrary, Smorodinsky focuses on an

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electronic bill presentment and payment system that employs hashes and digital signatures to avoid cheating by billers and/or customers, and which has nothing to do with combined billing or acquiring ownership of receivables associated with the account data upon receipt of account data electronically from the billers. See, e.g., Smorodinsky, Col. 4, lines 1-52.

Consequently, Saville and/or Martin and/or ECTC and/or Smorodinsky, either separately or in combination with one another, do not recite the required combination of limitations of amended independent claims 1, 50, and 54-57, that propose, e.g., receiving account data electronically from time-to-time from billers and acquiring ownership of the receivables associated with the account data upon receipt of the account data from the billers and wherein at least one of the accounts is a recurring bill account.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy M. Harbeck whose telephone number is 571-272-8123. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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